



PTO/SB/21 (05-03)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/632,780
		Filing Date	August 1, 2003
		First Named Inventor	Mario T. Philipp
		Group Art Unit	
		Examiner Name	
Total Number of Pages in this Submission	10	Attorney Docket Number	TUL2BUSA

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks  Customer No. 00270		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	HOWSON AND HOWSON Mary E. Bak		
Signature	<i>Mary E. Bak</i>		
Date	Jan 5, 2004		

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>1-5-04</u>			
Typed or printed name	Kelly A. Karstaedt		
Signature	<i>Kelly A. Karstaedt</i>	Date	1-5-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



DOCKET NO: TUL2BUSA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/632,780 Confirmation No.:  
Applicant : Mario T. Philipp  
Filed : August 1, 2003  
TC/A.U. : 1635  
Examiner : Unassigned  
Customer No. : 00270  
Title : SURFACE ANTIGENS AND PROTEINS USEFUL IN  
COMPOSITIONS FOR THE DIAGNOSIS AND  
PREVENTION OF LYME DISEASE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Letter

Sir:

This letter is being filed to submit a substitute Power of Attorney duly executed by an official of the Tulane Educational Fund, a Supplemental Declaration duly executed by the inventor, and a Statement Under 37 CFR § 3.73 (b) duly executed by an official of the Tulane Educational Fund.

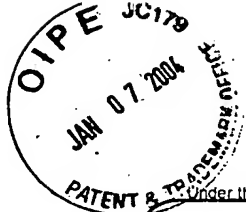
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 1-5-04  
Signature Kelly A. Karstaedt  
Name Kelly A. Karstaedt

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

HOWSON AND HOWSON  
Attorneys for Applicant

By Mary E. Bak  
Mary E. Bak  
Registration No. 31,215  
Spring House Corporate  
Center, Box 457  
Spring House, PA 19477  
Telephone: (215) 540-9200



**SUPPLEMENTAL  
DECLARATION FOR UTILITY  
OR DESIGN  
PATENT APPLICATION  
(37 CFR 1.67)**

Attorney Docket Number	TU12BUISA
First Named Inventor	Philipp
COMPLETE IF KNOWN	
Application Number	10/632,780
Filing Date	August 1, 2003
Art Unit	
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Surface Antigens and Proteins Useful in Compositions for the  
Diagnosis and Prevention of Lyme Disease

(Title of the invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) August 1, 2003 as United States Application Number or PCT International

Application Number 10/632,780 and was amended on (MM/DD/YYYY)

I hereby declare that the subject matter of the ☐ attached amendment ☒ amendment filed on Aug. 1, 2003 was part of the invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

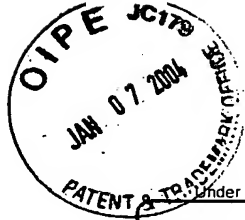
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.


[Page 1 of 2]

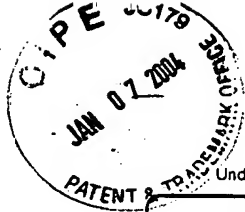
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# SUPPLEMENTAL DECLARATION — UTILITY OR DESIGN PATENT APPLICATION

Direct all correspondence to: <input checked="" type="checkbox"/>		Customer Number: 00270		OR <input type="checkbox"/> Correspondence address below	
Name HOWSON AND HOWSON					
Address Spring House Corporate Center					
Address Box 457					
City Spring House		State Pennsylvania		ZIP 19477	
Country United States of America		Telephone 215-540-9200		Fax 215-540-5818	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name Mario		Family Name or Surname Philipp			
Inventor's Signature 				Date 12-23-08	
Residence: City Mandeville		State LA	Country USA		Citizenship Germany
Mailing Address 248 Shaunell Drive					
Mailing Address					
City Mandeville		State Louisiana		ZIP 70448	Country USA
Name of Second Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name		Family Name or Surname			
Inventor's Signature				Date	
Residence: City		State	Country		Citizenship
Mailing Address					
Mailing Address					
City		State		ZIP	Country
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/ 02A or 02LR attached hereto.					

**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby appoint:

☒ Practitioners associated with the Customer Number:

00270

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

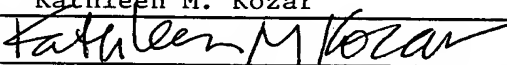
Assignee Name and Address:

The Administrators of the Tulane Educational Fund  
1430 Tulane Avenue  
New Orleans, Louisiana 70112-2699  
USA

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

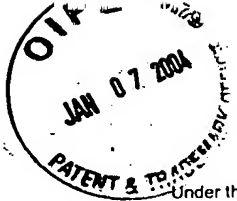
**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Kathleen M. Kozar		
Signature		Date	12-15-03
Title	Director, Office of Research Administration	Telephone	(504) 585-6962

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: The Administrators of the Tulane Educational Fund

Application No./Patent No.: 10/632,780 Filed/Issue Date: August 1, 2003

Entitled: Surface Antigens and Proteins Useful In Compositions For the  
Diagnosis and Prevention of Lyme Disease

The Administrators of the Tulane, a University  
(Name of Assignee) Educational Fund (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014121, Frame 0763, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

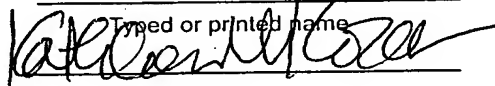
1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

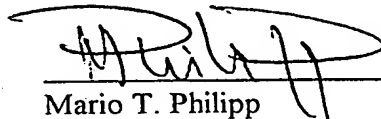
12-15-03  
Date  
(504) 585-6962  
Telephone number

Kathleen M. Kozar  
Typed or printed name  
  
Signature  
Director, Office of Research  
Title Administration

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.


IN WITNESS WHEREOF, this assignment has been executed  
this 2nd day of December, 2002.

 (SEAL)  
Mario T. Philipp

NOTARIAL CERTIFICATE

State of LOUISIANA :  
County of ST TAMMANY : ss.

Before me, the undersigned, a notary public, in and for the county  
aforesaid, on this 2nd day of DECEMBER 2002, personally appeared Mario T.  
Philipp to me known to be the person described in and who executed the foregoing  
instrument and who acknowledged the execution of the same as a free act and deed  
and desired the same to be recorded as such.

  
Notary Public  
my commission is For Life



### ASSIGNMENT

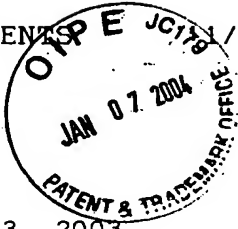
WHEREAS, Mario T. Philipp, hereinafter referred to as ASSIGNOR, has invented and is the owner of an invention entitled SURFACE ANTIGENS AND PROTEINS USEFUL IN COMPOSITIONS FOR THE DIAGNOSIS AND PREVENTION OF LYME DISEASE, said invention being fully set forth and described in the application for Letters Patent of the United States which has been prepared in connection with said invention, and which has been filed on December 13, 1999 and given Application Number 09/445,803.

WHEREAS, The Administrators of the Tulane Educational Fund, a corporation organized and existing under and by virtue of the laws of the State of Louisiana and engaged in business at 1430 Tulane Avenue, New Orleans, Louisiana 70112-2699, hereinafter referred to as ASSIGNEE, is desirous of acquiring the said invention and any and all applications for Letters Patent and any and all Letters Patent of the United States and foreign countries which may be issued therefor.

NOW, THEREFORE, THIS IS TO WITNESS that in consideration of the sum of One Dollar (\$1.00) paid to ASSIGNOR by ASSIGNEE, the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR has sold, assigned and set over, and hereby does sell, assign and set over, unto ASSIGNEE, its successors and assigns, the entire right, title and interest for, to and within the United States and all foreign countries, in and to the aforesaid invention and in and to any application for Letters Patent which ASSIGNEE at its expense may cause to be filed in the United States, under an international treaty, or in any foreign country, and in any United States or foreign patent which may be granted on said invention, including any extensions, divisions, reissues, continuations or continuations-in-part.

And ASSIGNOR hereby authorizes and requests the Director of the USPTO to issue any and all Letters Patent of the United States to ASSIGNEE, its successors and assigns, as the owner of all right, title and interest therein.

And for said consideration, it is hereby covenanted and agreed that at the request and expense of ASSIGNEE, its successors and assigns, ASSIGNOR will execute any further papers and do such other acts and things as may be necessary and proper to procure Letters Patent for said invention in the United States and in such foreign countries as ASSIGNEE, its successors and assigns may elect, and vest the full title thereto in ASSIGNEE, its successors and assigns.



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

NOVEMBER 13, 2003

PTAS

HOWSON AND HOWSON  
MARY E. BAK  
SPRING HOUSE CORPORATE CENTER  
BOX 457  
SPRING HOUSE, PA 19477



\*700052290\*

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/12/2003

REEL/FRAME: 014121/0763  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

PHILIPP, MARIO T.

DOC DATE: 12/02/2002

**ASSIGNEE:**

THE ADMINISTRATORS OF THE TULANE  
EDUCATIONAL FUND  
1430 TULANE AVENUE  
NEW ORLEANS, LOUISIANA 70112-2699

SERIAL NUMBER: 10632780  
PATENT NUMBER:

FILING DATE:  
ISSUE DATE:

NOV 19 2003

LAZENA MARTIN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS